IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 31ST OCTOBER 2007 / 9TH KARTHIKA 1929

Bail Appl..No. 6614 of 2007()

CRIMENO.391/07 OF MAVELIKKARA POLICE STATION

PETITIONER/2ND ACCUSED:

BIJU @ THOMMI,
KALLELIL PARAMBIL, WEST GANAPATHI TEMPLE,
MAVELIKKARA MURI, MAVELIKKARA.

BY ADV. SRI.R.BINDU (SASTHAMANGALAM)
SRI.PRASANTH M.P

RESPONDENTS: STATE:

STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 31/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. NO. 6614 of 2007

Dated this the 31st day of October, 2007

ORDER

Application for regular bail. The petitioner faces allegations under Secs.307 and 324 of the IPC. He is the 2nd accused of the three accused persons. The incident took place on 26/8/07. The petitioner was arrested on 1/9/07. The petitioner is an accused in another 302 case. The trial in that case is in progress, it is submitted.

2. An earlier application for regular bail filed by the petitioner was dismissed by this Court as per the order dated 8/10/07 in B.A.No.5994/07. I have adverted to the facts in detail in the said order. I am hence not adverting to the facts in any greater detail in this order. This order must be read in continuation of the said order.

3. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that appropriate safeguards may be insisted and I

am satisfied that the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

4. **In the result:**

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall make himself available for interrogation before the Investigating Officer on all Sundays between 5 p.m. and 6 p.m. until the case against him is disposed of.

(iii) The petitioner shall not leave the Sessions Division of Alappuzha until further orders without the prior permission of the learned Magistrate.

(R. BASANT, JUDGE)

Nan/